



DEPARTMENT OF HEALTH & HUMAN SERVICES
BUREAU OF PRIMARY HEALTH CARE

Public Health Service

Health Resources and
Services Administration
Bethesda MD 20814

JUN 22 2004

Burt Waller
Executive Director
Christ Community Health Services, Inc. – UDS # 417140
2953 Broad Avenue
Memphis, Tennessee 38112

Dear Mr. Waller:

Reference: Malpractice Liability Coverage

The Bureau of Primary Health Care (BPHC), in accordance with Section 224(h) of the Public Health Service (PHS) Act, 42 U.S.C. 233(h), as amended by the Federally Supported Health Centers Assistance Act of 1995 (Pub.L. 104-73), deems the above named entity to be an employee of the Federal Government, effective July 1, 2004, for the purposes of Section 224. Section 224(a) provides liability protection under the Federal Tort Claims Act (FTCA) for damage for personal injury, including death, resulting from the performance of medical, surgical, dental, and related functions and is exclusive of any other civil action or proceeding. This "FTCA coverage" is applicable to deemed entities and their officers, governing board members, employees, and contractors who are physicians or other licensed or certified health care practitioners working full-time (minimum 32.5 hours per week) or part-time providing family practice, general internal medicine, general pediatrics, or obstetrics/gynecological services. (See BPHC Policy Information Notice 99-08 for more detailed information.)

Section 224 further provides that hospital admitting privileges cannot be denied on the basis of having malpractice coverage under the FTCA, if a covered health care professional meets the appropriate professional qualifications and agrees to abide by the hospital bylaws and the rules and regulations of the medical staff. Moreover, managed care plans are required to accept FTCA coverage as meeting whatever malpractice insurance coverage requirements such plans may require of contract providers. Hospitals and managed care plans that fail to comply shall be in jeopardy of losing Medicare and Medicaid reimbursements.

1. ISSUE DATE: 9/28/2011	<p>DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION</p> <p>HRSA</p> <p>NOTICE OF DEEMING ACTION</p> <p>FEDERAL TORT CLAIMS ACT AUTHORIZATION: Federally Supported Health Centers Assistance Act (FSHCAA), as amended, Sections 224(g)-(n) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g)-(n)</p>
2a. FTCA DEEMING NOTICE NO.: 1-F00000724-11-01	
2b. Supersedes: []	
3. COVERAGE PERIOD: FROM: 1/1/2012 THROUGH: 12/31/2012	
4. NOTICE TYPE: Renewal	
5a. ENTITY NAME AND ADDRESS: CHRIST COMMUNITY HEALTH SERVICES, INC. 2595 CENTAL AVENUE MEMPHIS, TN 38104-5905	
6. ENTITY TYPE: Grantee	
7. EXECUTIVE DIRECTOR: Burt Waller	
8a. GRANTEE ORGANIZATION: CHRIST COMMUNITY HEALTH SERVICES, INC.	
8b. GRANT NUMBER: H80CS00881	
9. THIS ACTION IS BASED ON THE INFORMATION SUBMITTED TO, AND AS APPROVED BY HRSA, AS REQUIRED UNDER 42 U.S.C. § 233(h) FOR THE ABOVE TITLED ENTITY AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:	
<ul style="list-style-type: none"> a. The authorizing program legislation cited above. b. The program regulation cited above, and, c. HRSA's FTCA-related policies and procedures. <p>In the event there are conflicting or otherwise inconsistent policies applicable to the program, the above order of precedence shall prevail.</p>	
10. Remarks:	
<p>The check box [x] in the supersedes field indicates that this notice supersedes any and all active NDAs and rescinds any and all future NDAs issued prior to this notice.</p> <p><i>Electronically signed by Jim Macrae, Associate Administrator for Primary Health Care on: 9/28/2011 7:35:08 AM</i></p>	

1. ISSUE DATE: 9/23/2010	
2. FTCA DEEMING NOTICE NO.: 1-F00000724-10-1	
3. COVERAGE PERIOD: FROM: 1/1/2011 THROUGH: 12/31/2011	
4. NOTICE TYPE: Renewal	
5a. ENTITY NAME AND ADDRESS: CHRIST COMMUNITY HEALTH SERVICES, INC. CENTRAL AVENUE MEMPHIS, TN 38104-5905	DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION
5b. DBA NAME:	 NOTICE OF DEEMING ACTION
6. ENTITY TYPE: Grantee	FEDERAL TORT CLAIMS ACT AUTHORIZATION: Federally Supported Health Centers Assistance Act (FSHCAA), as amended, Sections 224(g)-(n) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g)-(n)
7. EXECUTIVE DIRECTOR: Burt Waller	
8a. GRANTEE ORGANIZATION: CHRIST COMMUNITY HEALTH SERVICES, INC.	
8b. GRANT NUMBER: H80CS00881	
9. THIS ACTION IS BASED ON THE INFORMATION SUBMITTED TO, AND AS APPROVED BY HRSA, AS REQUIRED UNDER 42 U.S.C. § 233(h) FOR THE ABOVE TITLED ENTITY AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING: a. The authorizing program legislation cited above. b. The program regulation cited above, and c. HRSA's FTCA-related policies and procedures. In the event there are conflicting or otherwise inconsistent policies applicable to the program, the above order of precedence shall prevail.	
<i>Electronically signed by Cheryl Dammons, Deputy Associate Administrator for Primary Health Care on:</i> 9/23/2010 5:35:29 PM	

1. ISSUE DATE: 8/28/2012	<p>DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION</p> <p>HRSA</p> <p>NOTICE OF DEEMING ACTION</p> <p>FEDERAL TORT CLAIMS ACT AUTHORIZATION: Federally Supported Health Centers Assistance Act (FSHCAA), as amended, Sections 224(g)-(n) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g)-(n)</p>
2a. FTCA DEEMING NOTICE NO.: 1-F00000724-12-01	
2b. Supersedes: []	
3. COVERAGE PERIOD: FROM: 1/1/2013 THROUGH: 12/31/2013	
4. NOTICE TYPE: Renewal	
5a. ENTITY NAME AND ADDRESS: CHRIST COMMUNITY HEALTH SERVICES, INC. 2595 CENTAL AVENUE MEMPHIS, TN 38104-5905	
6. ENTITY TYPE: Grantee	
7. EXECUTIVE DIRECTOR: Burt Waller	
8a. GRANTEE ORGANIZATION: CHRIST COMMUNITY HEALTH SERVICES, INC.	
8b. GRANT NUMBER: H80CS00881	
9. THIS ACTION IS BASED ON THE INFORMATION SUBMITTED TO, AND AS APPROVED BY HRSA, AS REQUIRED UNDER 42 U.S.C. § 233(h) FOR THE ABOVE TITLED ENTITY AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:	
<p>a. The authorizing program legislation cited above. b. The program regulation cited above, and c. HRSA's FTCA-related policies and procedures.</p> <p>In the event there are conflicting or otherwise inconsistent policies applicable to the program, the above order of precedence shall prevail.</p>	
10. Remarks:	
<p>The check box [x] in the supersedes field indicates that this notice supersedes any and all active NDAs and rescinds any and all future NDAs issued prior to this notice.</p> <p><i>Electronically signed by Jim Macrae, Associate Administrator for Primary Health Care on: 8/28/2012 8:24:23 AM</i></p>	

1. ISSUE DATE: 5/29/2013	<p>DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION</p> <p>HRSA</p> <p>NOTICE OF DEEMING ACTION</p> <p>FEDERAL TORT CLAIMS ACT AUTHORIZATION: Federally Supported Health Centers Assistance Act (FSHCAA), as amended, Sections 224(g)-(n) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g)-(n)</p>
2a. FTCA DEEMING NOTICE NO.: 1-F00000724-13-01	
2b. Supersedes: []	
3. COVERAGE PERIOD: FROM: 1/1/2014 THROUGH: 12/31/2014	
4. NOTICE TYPE: Renewal	
5a. ENTITY NAME AND ADDRESS: Christ Community Health Services, Inc. 2595 CENTAL AVENUE MEMPHIS, TN 38104-5905	
6. ENTITY TYPE: Grantee	
7. EXECUTIVE DIRECTOR: Burt Waller	
8a. GRANTEE ORGANIZATION: Christ Community Health Services, Inc.	
8b. GRANT NUMBER: H80CS00881	
9. THIS ACTION IS BASED ON THE INFORMATION SUBMITTED TO, AND AS APPROVED BY HRSA, AS REQUIRED UNDER 42 U.S.C. § 233(h) FOR THE ABOVE TITLED ENTITY AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:	
<ul style="list-style-type: none"> a. The authorizing program legislation cited above. b. The program regulation cited above, and, c. HRSA's FTCA-related policies and procedures. 	
In the event there are conflicting or otherwise inconsistent policies applicable to the program, the above order of precedence shall prevail.	
10. Remarks:	
The check box [x] in the supersedes field indicates that this notice supersedes any and all active NDAs and rescinds any and all future NDAs issued prior to this notice.	
<i>Electronically signed by Jim Macrae, Associate Administrator for Primary Health Care on: 5/29/2013 9:11:00 AM</i>	

1. ISSUE DATE: 7/30/2014	
2a. FTCA DEEMING NOTICE NO.: 1-F00000724-14-01	
2b. Supersedes: []	
3. COVERAGE PERIOD: FROM: 1/1/2015 THROUGH: 12/31/2015	
4. NOTICE TYPE: Renewal	
5a. ENTITY NAME AND ADDRESS: Christ Community Health Services, Inc. 2595 CENTAL AVENUE MEMPHIS, TN 38104-5905	
6. ENTITY TYPE: Grantee	
7. EXECUTIVE DIRECTOR: Edwin S Roberson	
8a. GRANTEE ORGANIZATION: Christ Community Health Services, Inc.	
8b. GRANT NUMBER: H80CS00881	
9. THIS ACTION IS BASED ON THE INFORMATION SUBMITTED TO, AND AS APPROVED BY HRSA, AS REQUIRED UNDER 42 U.S.C. § 233(h) FOR THE ABOVE TITLED ENTITY AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:	
<ul style="list-style-type: none"> a. The authorizing program legislation cited above. b. The program regulation cited above, and, c. HRSA's FTCA-related policies and procedures. 	
In the event there are conflicting or otherwise inconsistent policies applicable to the program, the above order of precedence shall prevail.	
10. Remarks:	
<p>The check box [x] in the supersedes field indicates that this notice supersedes any and all active NDAs and rescinds any and all future NDAs issued prior to this notice.</p> <p><i>Electronically signed by Jim Macrae, Associate Administrator for Primary Health Care on: 7/30/2014 8:00:19 PM</i></p>	

DEPARTMENT OF HEALTH AND
HUMAN SERVICES
HEALTH RESOURCES AND SERVICES
ADMINISTRATION



NOTICE OF DEEMING ACTION

FEDERAL TORT CLAIMS ACT AUTHORIZATION:
Federally Supported Health Centers Assistance Act
(FSHCAA), as amended,
Sections 224(g)-(n) of the Public Health Service (PHS)
Act, 42 U.S.C. § 233(g)-(n)

1. ISSUE DATE: 12/1/2009	
2. FTCA DEEMING NOTICE NO.: 1-F00000724-09-01	
3. COVERAGE PERIOD: FROM: 1/1/2010 THROUGH: 12/31/2010	
4. NOTICE TYPE: Renewal	
5a. ENTITY NAME AND ADDRESS: CHRIST COMMUNITY HEALTH SERVICES, INC. 2953 BROAD AVE MEMPHIS, TN 38112-2957	DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION
5b. DBA NAME: N/A	
6. ENTITY TYPE: Grantee	NOTICE OF DEEMING ACTION
7. EXECUTIVE DIRECTOR: Burt Waller	FEDERAL TORT CLAIMS ACT AUTHORIZATION: Federally Supported Health Centers Assistance Act (FSHCAA), as amended, Sections 224(g)-(n) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g)-(n)
8a. GRANTEE ORGANIZATION: CHRIST COMMUNITY HEALTH SERVICES, INC.	
8b. GRANT NUMBER: H80CS00881	
9. THIS ACTION IS BASED ON THE INFORMATION SUBMITTED TO, AND AS APPROVED BY HRSA, AS REQUIRED UNDER 42 U.S.C. § 233(h) FOR THE ABOVE TITLED ENTITY AND IS SUBJECT TO THE TERMS AND CONDITIONS INCORPORATED EITHER DIRECTLY OR BY REFERENCE IN THE FOLLOWING:	
<ul style="list-style-type: none">a. The authorizing program legislation cited above.b. The program regulation cited above, and,c. HRSA's FTCA-related policies and procedures.	
In the event there are conflicting or otherwise inconsistent policies applicable to the program, the above order of precedence shall prevail.	
<i>Electronically signed by Jim Macrae, Associate Administrator for Primary Health Care on: 12/1/2009 1:58:04 PM</i>	

FTCA DEEMING NOTICE NO.: 1-F00000724-09-01	GRANT NUMBER: H80CS00881	
<p>CHRIST COMMUNITY HEALTH SERVICES, INC. 2953 BROAD AVE MEMPHIS, TN 38112-2957</p> <p>The Health Resources and Services Administration (HRSA), in accordance with the Federally Supported Health Centers Assistance Act (FSHCAA), as amended, Sections 224(g)-(n) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g)-(n), deems CHRIST COMMUNITY HEALTH SERVICES, INC. to be an employee of the PHS, for the purposes of section 224, effective 1/1/2010 through 12/31/2010.</p> <p>Section 224(a) provides liability protection under the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b), 2672, or by alternative benefits provided by the United States where the availability of such benefits precludes a remedy under the FTCA, for damage for personal injury, including death, resulting from the performance of medical, surgical, dental, or related functions by PHS employees while acting within the scope of such employment. This protection is exclusive of any other civil action or proceeding. Coverage extends to deemed entities and their (1) officers; (2) governing board members; (3) full- and part-time employees; and (4) contractors who are licensed or certified individual health care practitioners providing full-time services (i.e., on average at least 32½ hours per week for the entity for the period of the contract), or, if providing an average of less than 32½ hours per week of such service, is a licensed or certified provider in the fields of family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. Volunteers are neither employees nor contractors and therefore are not eligible for FTCA coverage under FSHCAA.</p> <p>In addition, FTCA coverage is comparable to an "occurrence" policy without a monetary cap. Therefore, any coverage limits that may be mandated by other organizations are met.</p> <p>This action is based on the information provided in your FTCA deemинг application, as required under 42 U.S.C. § 233(h), with regard to your entity's: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice and litigation; (2) review and verification of professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.</p> <p>Deemed health centers must continue to receive funding under Section 330 of the PHS Act, 42 U.S.C. § 254b, in order to maintain coverage as a deemed PHS employee. If the deemed entity loses its Section 330 funding, such coverage will end immediately upon termination of the grant. In addition to the relevant statutory and regulatory requirements, every deemed health center is expected to follow HRSA's FTCA-related policies and procedures, which may be found online at http://www.bphc.hrsa.gov.</p> <p>For further information, please contact your HRSA Project Officer as listed on your Notice of Grant Award or the FTCA Help Line at 1-877-464-4772.</p>		



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Bureau of Primary Health Care
Rockville MD 20857

SEP 16 2008

Executive Director
Christ Community Health Services, Inc.
UDS# 0417140
2953 Broad Avenue
Memphis, TN 38112

Reference: Malpractice Liability Coverage - Renewal Health
Center Deeming Letter Coverage Effective
January 1, 2009 through December 31, 2009

Dear Executive Director:

The Health Resources and Services Administration (HRSA) in accordance with Section 224(g) of the Public Health Service (PHS) Act, 42 U.S.C. §233(g), as amended by the Federally Supported Health Centers Assistance Act of 1995 (FSHCAA), (P.L. 104-73), deems the above named entity to be an employee of the PHS, for the purposes of section 224, effective January 1, 2009. Section 224(a) provides liability protection under the Federal Tort Claims Act (FTCA) for damage for personal injury, including death, resulting from the performance of medical, surgical, dental, and related functions and is exclusive of any other civil action or proceeding.

The 1995 amendments to FSHCAA clarified that FTCA coverage extends to deemed health centers and their: (1) officers; (2) governing board members; (3) full- and part-time health center employees; (4) licensed or certified health care practitioner contractors (who are not corporations) providing full-time services (i.e., on average at least 32 ½ hours per week); and (5) licensed or certified health care practitioner contractors (who are not corporations) providing part-time services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. Volunteers are neither employees nor contractors and, therefore, are not eligible for FTCA coverage.

In addition, FTCA coverage is comparable to an "occurrence" policy without a monetary cap. Therefore, any coverage limits that may be mandated by other organizations are met.

Page 2

This action is based on the assurances provided in your FTCA deeming application, as required under 42 U.S.C. §233(h), with regard to: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice; (2) implementation of a system whereby professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals are reviewed and verified; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.

Deemed health centers must continue to receive funding under Section 330 of the PHS Act, 42 U.S.C. §254(b), in order to maintain FTCA coverage. If the deemed entity loses its Section 330 funding, its coverage under the FTCA will end immediately upon termination of the grant.

In addition to the FTCA statutory and regulatory requirements, every deemed health center is expected to follow HRSA's FTCA-related policies and procedures included on the enclosed list. These documents can be found online at
<http://www.bphc.hrsa.gov/pinspals/default.htm>.

For further information, please contact the Office of Quality and Data at 301-594-0818.

Sincerely,

Donald T. Lamm, M.D.

 James Macrae
Associate Administrator

Enclosure

**Health Resources and Services Administration
Federal Tort Claims Act (FTCA)-Related
Program Assistance Letters (PALs)
And
Policy Information Notices (PINs)**

This list highlights the PALs and PINs most relevant for FTCA-related matters. Please consult HRSA's Web Site at <http://www.bphc.hrsa.gov/pinspals/default.htm> for a listing of all HRSA PALs and PINs.

PALs

- 1999-15 Questions and Answers on the Federal Tort Claims Act Coverage for Section 330 Deemed Grantees
- 2005-01 Federal Tort Claims Act Policy Clarification on Coverage of Corporations Under Contract with Health Centers

PINs

- 1999-08 Health Centers and the Federal Tort Claims Act
- 2001-11 Clarification of Policy for Health Centers Deemed Covered Under the Federal Tort Claims Act for Medical Malpractice
- 2001-16 Credentialing and Privileging of Health Center Practitioners
- 2001-19 Procedure for Handling Subpoenas and Other Requests for Testimony of Health Center Employees in Private Litigation
- 2002-07 Scope of Project Policy
- 2002-22 Clarification of Bureau of Primary Health Care Credentialing and Privileging Policy Outlined in Policy Information Notice 2001-16
- 2002-23 New Requirements for Deeming Under the Federally Supported Health Centers Assistance Act



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Bureau of Primary Health Care
Rockville MD 20857

NOV 15 2007

Executive Director
Christ Community Health Services
UDS# 0417140
2953 Broad Avenue
Memphis, TN 38112

Reference: Malpractice Liability Coverage - Renewal Health
Center Deeming Letter Coverage Effective
January 1, 2008 through December 31, 2008

Dear Executive Director:

The Health Resources and Services Administration (HRSA) in accordance with Section 224(g) of the Public Health Service (PHS) Act, 42 U.S.C. §233(g), as amended by the Federally Supported Health Centers Assistance Act of 1995 (FSHCAA), (P.L. 104-73), deems the above named entity to be an employee of the PHS, for the purposes of section 224, effective January 1, 2008. Section 224(a) provides liability protection under the Federal Tort Claims Act (FTCA) for damage for personal injury, including death, resulting from the performance of medical, surgical, dental, and related functions and is exclusive of any other civil action or proceeding.

The 1995 amendments to FSHCAA clarified that FTCA coverage extends to deemed health centers and their: (1) officers; (2) governing board members; (3) full- and part-time health center employees; (4) licensed or certified health care practitioner contractors (who are not corporations) providing full-time services (i.e., on average at least 32 ½ hours per week); and (5) licensed or certified health care practitioner contractors (who are not corporations) providing part-time services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. Volunteers are neither employees nor contractors and, therefore, are not eligible for FTCA coverage.

In addition, FTCA coverage is comparable to an "occurrence" policy without a monetary cap. Therefore, any coverage limits that may be mandated by other organizations are met.

Page 2

This action is based on the assurances provided in your FTCA deeming application, as required under 42 U.S.C. §233(h), with regard to: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice; (2) implementation of a system whereby professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals are reviewed and verified; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.

Deemed health centers must continue to receive funding under Section 330 of the PHS Act; 42 U.S.C. §254(b), in order to maintain FTCA coverage. If the deemed entity loses its Section 330 funding, its coverage under the FTCA will end immediately upon termination of the grant.

In addition to the FTCA statutory and regulatory requirements, every deemed health center is expected to follow HRSA's FTCA-related policies and procedures included on the enclosed list. These documents can be found online at
<http://www.bphc.hrsa.gov/pinspals/default.htm>.

For further information, please contact the Office of Quality and Data at 301-594-0818.

Sincerely,



James Macrae
Associate Administrator

Enclosure



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Bureau of Primary Health Care
Rockville MD 20857

DEC 18 2006

Mr. Burt Waller
Executive Director
Christ Community Health Services, Inc.
UDS # 0417140
3362 South Third Street
Memphis, TN 38112-2957

Reference: Malpractice Liability Coverage – Renewal Health Center Deeming Letter
Coverage Effective January 1, 2007 through December 31, 2007

Dear Mr. Waller:

The Health Resources and Services Administration (HRSA) in accordance with Section 224(g) of the Public Health Service (PHS) Act, 42 U.S.C. §233(g), as amended by the Federally Supported Health Centers Assistance Act of 1995 (FSHCAA), (P.L. 104-73), deems the above named entity to be an employee of the PHS, for the purposes of section 224, effective January 1, 2007. Section 224(a) provides liability protection under the Federal Tort Claims Act (FTCA) for damage for personal injury, including death, resulting from the performance of medical surgical, dental, and related functions and is exclusive of any other civil action or proceeding.

The 1995 amendments to FSHCAA clarified that FTCA coverage extends to deemed health centers and their: (1) officers; (2) governing board members; (3) full- and part-time health center employees; (4) licensed or certified health care practitioner contractors (who are not corporations) providing full-time services (i.e., on average at least 32 ½ hours per week); and (5) licensed or certified health care practitioner contractors (who are not corporations) providing part-time services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. Volunteers are neither employees nor contractors and therefore are not eligible for FTCA coverage.

In addition, FTCA coverage is comparable to an “occurrence” policy without a monetary cap. Therefore, any coverage limits that may be mandated by other organizations are met.

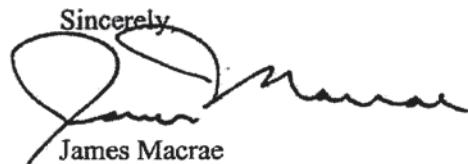
This action is based on the assurances provided in your FTCA deeming application, as required under 42 U.S.C. §233(h), with regard to: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice; (2) implementation of a system whereby professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals are reviewed and verified; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.

Page 2 – Mr. Burt Waller

Deemed health centers must continue to receive funding under Section 330 of the PHS Act, 42 U.S.C. §254(b), in order to maintain FTCA coverage. If the deemed entity loses its Section 330 funding, its coverage under the FTCA will end immediately upon termination of the grant.

In addition to the FTCA statutory and regulatory requirements, every deemed health center is expected to follow HRSA's FTCA-related policies and procedures included on the enclosed list. These documents can be found online at <http://www.bphc.hrsa.gov/pinspals/default.htm>.

For further information, please contact your HRSA Project Officer as listed on your notice of grant award.

Sincerely,

James Macrae
Associate Administrator

Enclosure



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Bureau of Primary Health Care
Rockville MD 20857

Burt Waller, Executive Director
Executive Director
Christ Community Health Services, Inc.
UDS # 0417140
3362 South Third Street
Memphis, TN 38112-2957

DEC 19 2005

Reference: Malpractice Liability Coverage – Renewal health center deeming letter
Coverage effective on January 1, 2006 through December 31, 2006

Dear Executive Director:

The Health Resources and Services Administration (HRSA), Bureau of Primary Health Care (BPHC), in accordance with Section 224(g) of the Public Health Service (PHS) Act, 42 U.S.C. §233(g), as amended by the Federally Supported Health Centers Assistance Act of 1995 (FSHCAA), (P.L. 104-73), deems the above named entity to be an employee of the PHS for purposes of Federal Tort Claims Act (FTCA) medical malpractice liability coverage, effective January 1, 2006.

This action is based on the assurances provided in your FTCA deeming application, as required under 42 U.S.C. §233(h), with regard to: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice; (2) implementation of a system whereby professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals are reviewed and verified; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.

The 1995 amendments to FSHCAA clarified that FTCA coverage extends to deemed health centers and their: (1) officers; (2) governing board members; (3) full and part time health center employees; (4) licensed or certified health care practitioner contractors (who are not corporations) providing full-time services (i.e., on average at least 32 ½ hours per week); and (5) licensed or certified health care practitioner contractors (who are not corporations) providing part-time services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. Volunteers are neither employees nor contractors and therefore are not eligible for FTCA coverage.

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In addition, FTCA coverage is comparable to an "occurrence" policy without a monetary cap. Therefore, any coverage limits that may be mandated by other organizations are met. For example, FTCA coverage would meet the requirements of a \$1.0 million each claim/\$3.0 million aggregate occurrence policy since FTCA coverage would, as appropriate, provide payment to a plaintiff for any damages awarded as a result of a judgment or settlement.

Deemed health centers must continue to receive funding under Section 330 of the PHS Act, 42 U.S.C. §254(b), in order to maintain FTCA coverage. If the deemed entity loses its Section 330 funding, its coverage under the FTCA will end immediately upon termination of the grant.

In addition to the FTCA statutory and regulatory requirements, every deemed health center is expected to follow HRSA's FTCA-related policies and procedures included on the enclosed list. These documents can be found online at <http://www.bphc.hrsa.gov/pinspals/default.htm>.

For further information, please contact your HRSA/BPHC Project Officer as listed on your notice of grant award.

Sincerely,



A. Michelle Snyder
Associate Administrator

Enclosure



DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Resources and Services
Administration

Bureau of Primary Health Care
Rockville MD 20857

MAY 20 2005

Burt Waller, Executive Director
Christ Community Health Services
UDS # 0417140
2953 Borad Avenue
Memphis, TN 38112

Reference: Malpractice Liability Coverage – Renewal health center deeming letter
Coverage effective on January 1, 2005 through December 31, 2005

Dear Mr. Waller:

The Health Resources and Services Administration (HRSA), Bureau of Primary Health Care (BPHC), in accordance with Section 224(g) of the Public Health Service (PHS) Act, 42 U.S.C. § 233(g), as amended by the Federally Supported Health Centers Assistance Act of 1995 (FSHCAA), (P.L. 104-73), redeems the above named entity to be an employee of the PHS for purposes of Federal Tort Claims Act (FTCA) medical malpractice liability coverage, effective January 1, 2005.

This action is based on the assurances provided in your FTCA deeming application, as required under 42 U.S.C. § 233(h), with regard to: (1) implementation of appropriate policies and procedures to reduce the risk of malpractice; (2) implementation of a system whereby professional credentials and privileges, references, claims history, fitness, professional review organization findings, and licensure status of health professionals are reviewed and verified; (3) cooperation with the Department of Justice (DOJ) in the defense of claims and actions to prevent claims in the future; and (4) cooperation with DOJ in providing information related to previous malpractice claims history.

The 1995 amendments to FSHCAA clarified that FTCA coverage extends to deemed health centers and their: (1) officers; (2) governing board members; (3) full and part time health center employees; (4) licensed or certified health care practitioner contractors (who are not corporations) providing full-time services (i.e., on average at least 32 ½ hours per week); and (5) licensed or certified health care practitioner contractors (who are not corporations) providing part-time services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics/gynecology. Volunteers are neither employees nor contractors and therefore are not eligible for FTCA coverage.

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In addition, FTCA coverage is comparable to an “occurrence” policy without a monetary cap. Therefore, any coverage limits that may be mandated by other organizations are met. For example, FTCA coverage would meet the requirements of a \$1.0 million each claim/\$3.0 million aggregate occurrence policy since FTCA coverage would, as appropriate, provide payment to a plaintiff for any damages awarded as a result of a judgment or settlement.

Deemed health centers must continue to receive funding under Section 330 of the PHS Act, 42 U.S.C. § 254(b), in order to maintain FTCA coverage. If the deemed entity loses its Section 330 funding, its coverage under the FTCA will end immediately upon termination of the grant.

In addition to the FTCA statutory and regulatory requirements, every deemed health center is expected to follow HRSA’s FTCA-related policies and procedures included on the enclosed list. These documents can be found online at <http://bphc.hrsa.gov/pinpals/default.htm>.

For further information, please contact your HRSA/BPHC Project Officer as listed on your notice of grant award.

Sincerely,



A. Michelle Snyder
Associate Administrator

Enclosure